

UNITED STATES DISTRICT COURT

for

**EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

U.S.A. vs. Danny Lee Lawrence, Jr.

Docket No. 5:10-CR-42-1FL

Petition for Action on Supervised Release

COMES NOW Timothy L. Gupton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Danny Lee Lawrence, Jr., who, upon an earlier plea of guilty to 21 U.S.C. § 846: Conspiracy to Distribute and Possess With Intent to Distribute More Than 50 Grams of Cocaine Base (Crack), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on December 10, 2010, to the custody of the Bureau of Prisons for a term of 50 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall participate in a vocational training program as directed by the probation office.
4. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
5. The defendant shall pay a special assessment of \$100.

Danny Lee Lawrence, Jr. was released from custody on September 30, 2013, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On December 5, 2013, a Violation Report was filed with the court advising that on November 13, 2013, and November 26, 2013, Lawrence tested positive for the use of cocaine. The court agreed to continue the defendant on supervision with an increased level of participation in the Surprise Urinalysis Program and substance abuse counseling. On February 25, 2014, during a routine home visit, Lawrence admitted to using marijuana on February 24, 2014. Based on his continued drug use, it is recommended that Lawrence be enrolled in the DROPS Program at the third-use level. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days. The defendant shall begin the DROPS Program in the third use level.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Michael C. Brittain
Michael C. Brittain
Senior U.S. Probation Officer

/s/Timothy L. Gupton
Timothy L. Gupton
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: March 17, 2014

ORDER OF COURT

Considered and ordered this 24th day of March, 2014, and ordered filed and made a part of the records in the above case.

Louise W. Flanagan

Louise W. Flanagan
U.S. District Judge